

REMARKS

Entry of the foregoing, and reconsideration and further examination of the subject application, in view of the amendments above and remarks below, are respectfully requested.

Status of Claims

By the above amendments, claim 26 has been amended to correct an oversight. New claims 29-36 have been added. Support for the new claims may be found in the description such as paragraph [0006]. No claims have been deleted. Thus, upon entry of the foregoing, claims 1-36 will be pending in the application. Each of these claims is under consideration.

Claim Rejections – 35 U.S.C. §§ 102 and 103

Claims 1-5 and 28 were rejected under 35 U.S.C. § 102(b) as being anticipated by JP 56-38367 A (“Masuda”). Claims 6-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Masuda in view of U.S. Patent No. 5,292,783 (“Buchanan”) and U.S. Patent No. 6,303,677 (“Warzelhan”). For the following reasons, these rejections should be withdrawn.

Masuda does not disclose or suggest each feature of the present invention, as set forth in representative claim 1. For example, Masuda does not disclose or suggest a polymer blend having a melt index less than the melt index of the polyester. In fact, it discloses just the opposite. Masuda discloses that “[t]he melt index of the adhesive of [its] invention is far higher than that of the polyester (I) alone.” See page 5, fourth full paragraph, of the attached English translation of Masuda (emphasis added). Thus, Masuda does not disclose or suggest each feature of the present claims.

Neither Buchanan nor Warzelhan remedies this deficiency of Masuda. Indeed, the Office Action did not cite Buchanan or Warzelhan for this purpose.

Nevertheless, neither Buchanan nor Warzelhan can be properly combined with Masuda. Both secondary references are directed to biodegradable polymer compositions. On the other hand, Masuda is directed to a hot melt adhesive to be applied on fabric surfaces. As a test of its strength and durability, the hot melt adhesive

of Masuda was applied to fabric, and then subject to dry cleaning and washing. See Working Examples 1 and 2 of Masuda. There is no suggestion or motivation in Masuda for a biodegradable hot melt adhesive. In fact, the notion of a biodegradable hot melt adhesive would run counter to an object of the Masuda invention, which is to obtain a hot melt adhesive with excellent durability. See page 2, first full paragraph, of the attached English translation of Masuda.

Thus, persons of ordinary skill in the art would have lacked the requisite motivation or suggestion to look to Buchanan or Warzelhan to modify the invention of Masuda.

Accordingly, Masuda does not anticipate the present claims, and there's no *prima facie* case of obviousness. As a result, the rejections should be withdrawn.

Conclusion

In summary, Applicants believe the application to be in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider the rejection(s), remove all rejections, and pass the application to issuance.

Respectfully submitted,

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5/25/06
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